

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FIGRELLA REATEGUI,

Plaintiff,

v.

Case No. 6:19-cv-1371-Orl-37DCI

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

In this social security appeal, Plaintiff seeks review of the Commissioner of Social Security's ("**Commissioner**") decision to deny her disability benefits and supplemental income payments. (Doc. 1.) Plaintiff argues the Administrative Law Judge ("**ALJ**") erred by failing to apply the correct legal standards at step three of the sequential evaluation process and making findings not supported by substantial evidence. (Doc. 15, pp. 12-15.) On referral, U.S. Magistrate Judge Daniel C. Irick recommends affirming the Commissioner's decision, finding the ALJ explicitly stated that she considered and rejected a listing and stated her reasons for that rejection, the record supported the contention that the ALJ implicitly found that Plaintiff did not meet the listing, and substantial evidence supports her decision. (Doc. 16 ("**R&R**").)

No party objected to the R&R, and the time for doing so has passed. Absent objection, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo*

Bank, N.A., No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no such error, the Court adopts the R&R in its entirety.

It is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Daniel C. Irick's Report and Recommendations (Doc. 16) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The Commissioner's final decision is **AFFIRMED**.
3. The Clerk is **DIRECTED** to enter judgment in favor of Defendant Commissioner of Social Security and against Plaintiff Fiorella Reategui and to close this case.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 4, 2020.




ROY B. DALTON JR.
United States District Judge

Copies to:

Counsel of Record